

SM Exhibit P

Page 1

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 -----X
4 ADRIAN SCHOOLCRAFT,
5 Plaintiff,

6 Case No:
7 - against - 10 CV 06005

8 THE CITY OF NEW YORK, ET AL.,

9 Defendants.
10 -----X

11 111 Broadway
12 New York, New York

13 January 6, 2014
14 2:31 p.m.
15
16

17 DEPOSITION OF SERGEANT RASHEENA HUFFMAN,
18 pursuant to Subpoena, taken at the above
19 place, date and time, before DENISE ZIVKU, a
20 Notary Public within and for the State of
21 New York.
22
23
24
25

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2 Q. You can omit reading the rest of
3 that entry. That's just particular about an
4 individual. Thank you.

5 These activities here vouchering
6 certain items, was that something that was
7 within the scope of Schoolcraft's duties at
8 the TS desk?

9 A. Yeah, at TS desk, yeah.

10 Q. With are the duties of somebody
11 who is stationed at the TS desk as of
12 October 2009?

13 MS. PUBLICKER METTHAM:

14 Objection. You can answer.

15 A. The TS operator, they answer the
16 phones, they help complainants that come
17 into the precinct at the window and they get
18 the property for the complainant. Like
19 let's say -- not even complainant.
20 Individual was arrested and now he's coming
21 to pick up his property. Then the TS
22 operator may go into the property room, get
23 the property, come to me and then I'll look
24 at it, signed it off and put it in the log
25 and he'll give him back the property.

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2 Q. So this is a reference that
3 Officer Schoolcraft doing that, correct?

4 A. Yes.

5 Q. As the TS operator, is that
6 person also responsible for vouchering
7 evidence and firearms and paraphernalia?

8 MS. PUBLICKER METTHAM:

9 Objection. You can answer.

10 A. No, not responsible for it.
11 That stuff is usually the arresting officer.

12 Q. So the TS desk vouchers
13 evidence?

14 MS. PUBLICKER METTHAM:

15 Objection. You could answer.

16 A. It depends on the situation.
17 Evidence is -- when you say evidence, there
18 is arrest evidence. The arresting officer
19 normally does that. Not the TS operator.
20 The TS operator usually gets the property
21 that someone comes into the command to
22 retrieve and they get it out the property
23 room and give it back to them. That's just
24 for safekeeping.

25 Q. Have you seen the TS officer at

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2 A. I believe he said that.

3 Q. Did you say something in
4 response to that?

5 A. I don't remember what I said in
6 response. I know that he put a sick report
7 in my hand. I'm like sick report, you know,
8 that's not what people do. That's not
9 common.

10 Q. I think I have -- we have an
11 excerpt that we're going to play back. See
12 if you can help us in what was said between
13 you and Officer Schoolcraft. While we're
14 opening that up --

15 A. Okay.

16 Q. -- let me ask you some more
17 questions about this entry in the command
18 log. There's an entry here that says I
19 explained that if he's sick a supervisor has
20 to approve. Do you see that reference?

21 A. Yes.

22 Q. Okay. What's that based on that
23 a supervisor has to approve if he's going
24 sick?

25 MS. PUBLICKER METTHAM:

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2 Objection.

3 A. Yes, pretty much he can't -- an
4 officer can't just come and say I don't feel
5 well, I'm going sick and just leave.

6 Q. Okay. When you put down this
7 entry a supervisor has to approve, you're
8 referring to yourself?

9 A. Yes, me, sick desk supervisor.
10 When you go sick if you want to go
11 administratively sick then you get
12 permission from the desk. If you go regular
13 sick, then you got to go to the district
14 surgeon, which if you went regular sick to
15 the medical division.

16 Q. I just want to understand. It
17 says here a supervisor has to approve. Were
18 you referring to you having to approve or
19 somebody else having to approve him going
20 sick?

21 A. Depends on what sick you go.

22 Q. No. No. What I want to know is
23 what's in your mind here. You said that you
24 explained to him that a supervisor has to
25 approve his request to go sick? See that

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2 entry there?

3 A. And I explained that --

4 Q. What I want to know is what
5 supervisor are you referring to when you
6 made --

7 A. It's the supervisor in general.

8 Q. You've got to let me finish the
9 question. This entry in the command log and
10 it says I explained that if he's sick a
11 supervisor has to approve.

12 A. Yes.

13 Q. Okay. What I want to know is
14 what supervisor are you referring to when
15 you made that entry in the command log?

16 A. Doesn't have to just be me,
17 could be a supervisor in general.

18 Q. I'm not asking about a
19 theoretical potential answer to my question.
20 I want to know what you were thinking when
21 you wrote this entry?

22 MS. PUBLICKER METTHAM:

23 Objection. Asked and answered. She
24 testified to what she was thinking
25 which was any officer.

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2 MR. SMITH: No, please don't
3 provide her with her answers --

4 MS. PUBLICKER METTHAM: This is
5 what she testified to three times.

6 MR. SMITH: Please, it's not.

7 Q. What supervisor were you
8 referring to when you made this entry?

9 A. When I made this statement, like
10 I said, I said in quotes, he comes to the
11 desk and I explained if he's sick a
12 supervisor has to approve. A supervisor
13 could be me, it could be a lieutenant, it
14 could be the sick desk supervisor, it could
15 be district surgeon. It's a supervisor.

16 Q. Okay. Did you give him
17 approval?

18 A. No, I did not.

19 Q. Why not?

20 A. Because he did not request sick
21 from me.

22 Q. I thought you said he put a slip
23 on your desk --

24 A. You can't do it that way. You
25 can't just fill out a sick report on your

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2 A. Yes.

3 Q. Why did you make the entry sick
4 desk Sergeant Baer, B-a-e-r?

5 A. I don't know. Maybe I spoke to
6 a supervisor there and wanted to put the
7 name of the supervisor. I don't know.

8 Q. What is the entry -- can you
9 read the entry on the first page of
10 Plaintiff's Exhibit 26, the handwritten
11 entry by you?

12 A. Sergeant Huffman called P.O.
13 Robert sick desk at 14:30 hours, states P.O.
14 Schoolcraft didn't call in sick.

15 Q. Why did you call the sick desk
16 at 14:30 hours?

17 A. Because he left the precinct
18 without going sick the proper way.

19 Q. If he had called the sick desk,
20 would that have been the proper way?

21 A. I called to see if he went sick.

22 Q. You're not answering my
23 question, ma'am. I said if he had called
24 the sick desk, would that have been the
25 proper way?

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2 MS. PUBLICKER METTHAM:

3 Objection. You can answer.

4 A. If he had called the sick desk,
5 he would still have had to speak to a
6 supervisor and let them know that he was not
7 feeling well and then after that we would
8 call the sick desk and speak to the sick
9 desk and let them know that we have a MOS
10 that's, either A, being treated at the
11 precinct by EMS or going to a hospital and
12 is requesting to go sick.

13 Q. So the answer to my question is
14 no, if he had called the sick desk that
15 still would not have been the proper way to
16 go sick; is that right.

17 MS. PUBLICKER METTHAM:

18 Objection. Objection. Asked and
19 answered. You can answer again.

20 A. I still had to check to see if
21 he called the sick desk.

22 Q. What's that based on?

23 MS. PUBLICKER METTHAM:

24 Objection. You can answer.

25 A. What happened?

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2 A. Hmm-hmm.

3 Q. Can you remember what the next
4 thing that happened with respect to
5 Schoolcraft?

6 A. I know that I had to have
7 notified a supervisor, who exactly it was
8 and how I did, I don't remember.

9 Q. Did somebody tell you to call
10 the sick desk?

11 A. Yes.

12 Q. Who?

13 A. I believe it was Inspector
14 Mauriello.

15 Q. You remember that part?

16 A. I believe. It could have been
17 Captain Lauterborn. I don't remember
18 exactly who it was, but I had to call to
19 check to make sure that if he went sick, was
20 he out sick, what's going on with him.

21 Q. And what was the next thing you
22 remember doing with respect to Schoolcraft?

23 A. I believe I had to call his cell
24 phone or his house phone and see if can get
25 him back to come to the precinct and do it

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2 the right way. I believe I had to call his
3 house or something like that and left a
4 message for him. Tell him to call the
5 precinct or come back.

6 Q. Did somebody tell you to make a
7 phone call to Schoolcraft?

8 A. A higher supervisor.

9 Q. Do you remember which one?

10 A. Either Captain Lauterborn or
11 Inspector Mauriello, I believe.

12 Q. Did you leave a message with
13 Officer Schoolcraft?

14 A. I believe I did.

15 Q. And what did you say in that
16 message or messages?

17 A. I don't know exact words, but if
18 you could call the precinct, get in contact
19 with us, come back to the precinct, go sick
20 the proper way. It was a message. I didn't
21 verbally speak to him.

22 Q. Okay, so you left a message on
23 his voice message?

24 A. Yes.

25 MR. SMITH: Can you read back